

REMARKS

Claim 4 is the only claim pending in the application.

Claim 4 has been examined and has been rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 59-159109 to Takuzo ("Takuzo") in view of U.S. Patent No. 6,511,756 to Obuchi ("Obuchi").

In the December 4, 2003 Amendment, Applicant argued that Obuchi discloses that the "composite" film has the claimed moisture permeability, rather than just film (A) or film (B) (pg. 4 of Amendment). In response to the argument, the Examiner maintains that the claim language does not limit the claim to the point that it excludes the use of a composite film, so long as the film contains one of the claimed resins (pg. 4 of Office Action). Based on the Examiner's interpretation, Applicant has amended claim 1 to clarify that the claimed protective films are "single layer" films.

Applicant submits that claim 4 is patentable over the cited references. For example, claim 4 recites that two protective films are stuck to opposite surfaces of a polyvinyl alcohol polarizing element. A moisture permeability of each of the protective films is in a range of from 5 to 300 g/m² 24h at 40°C and 90% RH. Further, each of the protective films is a single layer film made of a resin selected from the group consisting of a polyester resin, a polyimide resin, a norbornene resin, and a polyolefin resin.

The Examiner acknowledges that Takuzo fails to teach or disclose the claimed moisture permeability of the protective films, or that the protective films are made from one of the specified resins, but contends that Obuchi does. However, as noted in the December 4, 2003

Amendment, Obuchi discloses a composite film comprising film (A) and film (B) (col. 30, lines 45-47). In Example 40, Obuchi teaches a film with a moisture permeability in the range of from 5 to 300 g/m² 24h at 40°C and 90% RH (table 7; col. 54). The Examiner notes that the resin used in the Example 40 is a cyclic olefin polymer (col. 54, lines 54-55). However, the disclosed film having the claimed moisture permeability is the composite film, where the cyclic olefin polymer only forms film (A), and a polyvinyl alcohol polymer forms film (B) (col. 29, lines 64-67; col. 54, lines 50-54). Therefore, it is the resulting “composite” which contains the recited moisture permeability, not just film (A) or film (B) on its own.

Based on the foregoing, and since claim 4 recites that each protective film has the claimed moisture permeability, and that each protective film is only a single layer film made of one of the claimed resins, Applicant submits that the “composite” film of Obuchi fails to cure the deficient teachings of Takuzo.

Accordingly, Applicant submits that claim 4 is patentable over the cited references, and respectfully requests the Examiner to reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 10/033,893

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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